

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/556,668 Confirmation No. 8558
Applicant: Bator et al.
Filing Date: June 2, 2004
Docket No.: 19350-103323
Title: BUMPER ENERGY ABSORBER AND METHOD OF
FABRICATING AND ASSEMBLING THE SAME

RECEIVED
10 MAR 2008
Legal Staff
International Division

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

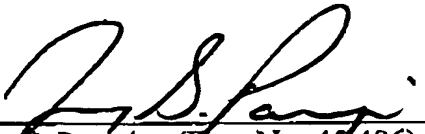
Dear Sir:

As instructed by Donna S. Greene at the United States Patent and Trademark Office, Applicant is providing this paper to withdraw the holding of abandonment for the above-captioned application.

Applicant received a Notification of Abandonment (Exhibit A) on February 6, 2008. The Notification of Abandonment states that Applicant failed to respond to the Notification of Missing Requirements mailed on September 20, 2006 (Exhibit B) within the time period set therein. Applicant did, however, respond to the Notification of Missing Requirements on November 13, 2006, which is within the two month time period set forth in the Notification and is, therefore, a timely response thereto. Attached to this letter is a true copy of Applicant's timely response to the Notification of Missing Requirements and proof by way of a date-stamped post-card returned by the United States Patent and Trademark Office that the response was timely (Exhibit C).

Therefore, in view of the true copy of the response and proof that the response was timely, Applicant respectfully requests that the holding of abandonment be withdrawn.

Respectfully submitted,


Jay S. Paranjpe (Reg. No. 49,486)
Clark Hill PLC
500 Woodward Avenue, Suite 3500
Detroit, MI 48226-3435
(313) 965-8897

Attachments: Exhibits A-C

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/556,668	FIRST NAMED APPLICANT Mury, Ann Butor	ATTY. DOCKET NO. 19350-103323
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Robin W Asher
 Clark Hill
 Suite 3500
 500 Woodward Avenue
 Detroit, MI 48226-3435

RECEIVED

FEB 06 2008

CLARK HILL

INTERNATIONAL APPLICATION NO. PCT/CA04/00823	
IA FILING DATE 06/02/2004	PRIORITY DATE 06/03/2003

CONFIRMATION NO. 8558
 371 ABANDONMENT/TERMINATION
 LETTER



Date Mailed: 01/31/2008

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 09/20/2006 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DONNA S GREENE

Telephone: (703) 308-0110 EXT 222

EXHIBIT B

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/556,668	Mary, Ann Bator	19350-103323

Robin W Asher
 Clark Hill
 Suite 3500
 500 Woodward Avenue
 Detroit, MI 48226-3435

RECEIVED

SEP 25 2006

CLARK HILL

INTERNATIONAL APPLICATION NO.	
PCT/CA04/00823	
I.A. FILING DATE	PRIORITY DATE
06/02/2004	06/03/2003

CONFIRMATION NO. 8558
 371 FORMALITIES LETTER

 OC000000020497809

Date Mailed: 09/20/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/14/2005
- Copy of the International Search Report filed on 11/14/2005
- Copy of IPE Report filed on 11/14/2005
- Copy of Annexes to the IPE filed on 11/14/2005
- Information Disclosure Statements filed on 11/14/2005
- U.S. Basic National Fees filed on 11/14/2005
- Priority Documents filed on 11/14/2005
- Specification filed on 11/14/2005
- Claims filed on 11/14/2005
- Abstracts filed on 11/14/2005
- Drawings filed on 11/14/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the Inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A. BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/556,668	PCT/CA04/00823	19350-103323

FORM PCT/DO/EO/905 (371 Formalities Notice)

1AP15 Rec'd PCT/PTO 15 NOV 2006

Please date stamp and return this postcard acknowledging receipt of the following: Transmittal; Notice of Missing Requirements; Signed declaration/power of attorney; return postcard.

Application No.: 10/556,668

Filing Date:

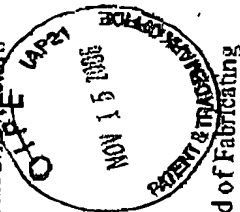
Attorney: Jay S. Paranjpe

Docket No: 19350-103323

Applicant: Bator et al.

Title: Bumper Energy Absorber and Method of Fabricating and Assembling the Same

Mailed via first class mail on 11/13/06



Please date stamp and return this postcard acknowledging receipt of the following: Transmittal; Notice of Missing Requirements; Signed declaration/power of attorney; return postcard.

Application No.: 10/556,668

Filing Date:

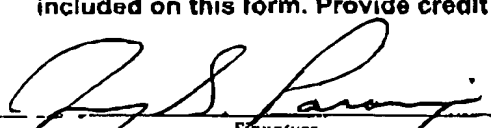
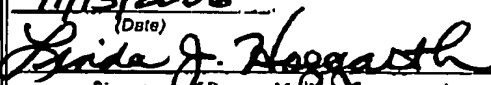
Attorney: Jay S. Paranjpe

Docket No: 19350-103323

Applicant: Bator et al.

Title: Bumper Energy Absorber and Method of Fabricating and Assembling the Same

Mailed via first class mail on 11/13/06

TRANSMITTAL LETTER (General - Patent Pending)					Docket No. 19350-103323	
In Re Application Of: Bator et al.						
Application No. 10/556,668	Filing Date 11/14/2005	Examiner N/A	Customer No. 28886	Group Art Unit	Confirmation No. 8558	
Title: BUMPER ENERGY ABSORBER AND METHOD OF FABRICATING AND ASSEMBLING THE SAME						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is: Notice of Missing Requirements Executed Declaration and Power of Attorney Return Postcard						
in the above identified application.						
<input type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-1759 as described below. <input checked="" type="checkbox"/> Charge the amount of \$130.00 <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 _____ Signature			Dated: 11/13/06			
Jay S. Paranjpe, Reg. No. 45,486 Clark Hill PLC 500 Woodward Avenue Suite 3500 Detroit, MI 48226-3435 (313) 965-8897						
cc:			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 11/13/2006 (Date)</p><p> _____ Signature of Person Mailing Correspondence</p><p>Linda J. Hoggarth Typed or Printed Name of Person Mailing Correspondence</p></div>			

Express Mail Label No.

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Docket No.

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Bumper Energy Absorber and Method of Fabricating and Assembling the Same

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on June 2, 2004 as United States Application No. or PCT International

Application Number CA 04/000823

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/475,275</u>	<u>June 3, 2003</u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)
<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Robin W. ASHER, Reg.No. 41,590

David J. SIMONELLI, Reg. No. 36,680

Jay S. PARANJPE, Reg. No. 45,486

Send Correspondence to: Mr. Robin W. Asher
Clark Hill PLC
500 Woodward Avenue, Suite 3500
Detroit, MI 48226-3435

Direct Telephone Calls to: (name and telephone number)
Robin W. Asher (313) 965-8300

Full name of sole or first inventor	Mary Ann Bator
Sole or first inventor's signature	<i>Mary Ann Bator</i> Date 11/08/05
Residence	27634 Wellington Rd., Farmington Hills, Michigan 48334
Citizenship	USA
Post Office Address	Same as above

Full name of second inventor, if any	Keiji J. Huotari
Second inventor's signature	<i>Keiji J. Huotari</i> Date 11/8/05
Residence	11469 Pawl Valley Trail, Fenton MI 48430
Citizenship	Canadian
Post Office Address	Same as above

Page 4 of 4

Full name of third inventor, if any Jack V. Henderson	
Third inventor's signature <i>Jack V. Henderson</i>	Date 11/8/05
Residence 3733 Merriweather Lane, Rochester Hills, MI 48306	
Citizenship USA	
Post Office Address Same as above	

Full name of fourth inventor, if any Richard Zimmer	
Fourth inventor's signature <i>Richard Zimmer</i>	Date 11-9-05
Residence 869 W. Sutton Road, Metamora, Michigan 48455	
Citizenship USA	
Post Office Address Same as above	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

*** RX REPORT ***

RECEPTION OK

TX/RX NO	9972
RECIPIENT ADDRESS	313 965 8252
DESTINATION ID	
ST. TIME	03/10 13:49
TIME USE	01'41
PGS.	11
RESULT	OK